Police Reforms

*468. DR. A. R. KIDWAI :†

DR T. SUBBARAMI REDDY :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether Government are seriously contemplating to carry out police reforms;

(b) whether there are some difficulties which hinder these reforms; if so, the details thereof; and

(c) by what time final decision for introducing these reforms is likely to be taken ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI) : (a) to (c) A Statement is laid on the Table of the House :

Statement

(a) and (b) The issue of Police Reforms has been a constant concern of the Government of India. The National Police Commission and the Padmanabhaiah Committee on Police Reforms were set up by the Government of India and their recommendations on Police Reforms were sent to the State Governments for consideration and implementation, as 'Police' is a State subject under the Constitution of India and it is primarily the responsibility of the State Governments to carry out police reforms. The Government of India have been monitoring the progress of action taken by the State Governments in this regard.

The Group of Ministers on Internal Security also reiterated the necessity of Police Reforms and made certain recommendations which have been sent to the State Governments for taking appropriate action. The progress of its implementation is also being monitored by the Central Government.

The need for making police reforms was stressed upon the Chief Ministers during the Chief Ministers Conference on Internal Security.

† The question was actually asked on the floor of the House by Dr. A. R. Kidwai.

The Central Government have also set up a Committee on Criminal Justice Reforms headed by Justice V.S. Malimath, which has submitted its report on 21.4.2003. The recommendations made by this Committee are under examination.

(c) Police Reforms is a continuous process and therefore, no time frame can be fixed by the Central Government for their implementation.

DR. A.R. KIDWAI : Will the Minister say whether these recommendations are backed by financial support? In the present financial situation the states are not in a position to implement the reforms without financial support. To what extent have they been offered financial support?

SHRI I.D. SWAMI : Sir, all the recommendations, which have been made, from time to time, by the National Police Commission or by the Ribeiro Committee or by the Padmanabhaiah Committee or by other committees do not pertain to the financial implications. Most of the recommendations are that the tenure of the officers at the level of SP and above should be ensured and the Police Act of 1861 should be replaced by a new Act. All those things are being done. But so far as financial assistance for a particular purpose, that is police reform, is concerned, no separate efforts need to be made because for the police reform or the police modernisation enough money is being sent to all the State Governments. If they want to build new police stations, or, do some renovations, or, build new police lines, enough money is being made avaliable to them.

So far as the new Act is concerned, a model Act has also been framed and circulated to the State Governments so that they can adopt or send their views.

DR. A.R. KIDWAI : Sir, the financial support for modernisation is restricted to a certain percentage, say, 70 per cent or 80 per cent, which requires matching grants which are not available with the State Governments. If the Centre is keen to implement them fully, they must provide full financial support. Why doesn't the Centre remove the matching grant portion and provide full assistance?

SHRI I.D. SWAMI : Mr. Chairman, Sir, this matter is under the active consideration of the Deputy Prime Minister and the Home Ministry. A review

committee was constituted because of the financial difficulties which were faced by the States. They had put forward that, instead of 50 : 50 matching grant, this ratio should be increased. The recommendation has already come, that is, 75 : 25. But it is being further looked into because there are certain States where there are certain genuine difficulties because of their proximity to the border, increased militancy, etc., and we are also thinking whether we can give 100 per cent aid to them. This matter is under the active consideration of the Home Ministry.

MR. CHAIRMAN : Dr. T. Subbarami Reddy.

SHRI PREM CHAND GUPTA : Dr. T. Subbarami Reddy has only three questions today.

MR. CHAIRMAN : Only three. Are you sure ?

SHRI PREM CHAND GUPTA : इसकी जांच होनी चाहिए।

DR. T. SUBBARAMI REDDY : Sir, through you, I would like to know about the 240 recommendations given by the Padmanabhaiah Committee. The Government of India has been expressing concern over the implementation of the police reforms for a very long time.

MR. CHAIRMAN : Which committee ?

DR. T. SUBBARAMI REDDY : Sir, Padmanabhaiah Committee. Sir, the reply of the Minister Says, "We have forwarded the recommendations to the State Governments as it is a State subject and it is under examination". I want a categorical assurance as to what action is being taken, or, coordination is being done between State Governments and the Central Government in implementing the police reforms.

Though you cannot commit a time frame, at least, you must have the zeal, enthusiasm and dynamism to implement the reforms.

SHRI I.D. SWAMI : Sir, the concern of the hon. Member is very genuine. It is only because of this concern that the Home Ministry had made an annual feature to discuss all these things at the annual conference of the DGs and the Chief Secretaries', followed by the conference of the Chief Ministers' where all these recommendations are being reviewed. In addition to that, the review is taking place and the officers meet in a Committee. They

hold meetings with the State Governments also. Only this monitoring can be done because ultimately the implementation has to be done by the State Governments. For most of the recommendations where no financial implications are involved and they have to make certain laws, or, replace the old act, we have, as I said, already issued circulars.

SHRI KULDIP NAYYAR : Sir, one of the recommendations of this National Police Commission was to assure the tenure of IG, DIG, SP. Has anything been done about it? Still, these high officials are transferred at the whims and fancies of the Chief Ministers whenever it is politically convenient for them. There was to be a committee to be formed at the State level where the opposition leader was also be represented. Has anything been done about it?

SHRI I.D. SWAMI : Sir, the recommendations suggested that there has to be a commission or a committee at the State level to be presided over by the UPSC Chairman, or, one of the Members including the Chief Secretary and the Home Secretary from the Central Government, but not the leader of the opposition.

On the basis of that, these recommendations were sent to the State Governments. On proper monitoring, it has been found out that 14 States have implemented certain directions of the court; different dirctions of the court and the recommedations of the National Police Commission to a great extent, of course with certain modifications. In five States, recommendations have been implemented, but major modifications have been done. Another five States have expressed their inability to implement them. They do not agree. Ultimately, you will appreciate, Sir, that even if it is a State subject and it is entirely for the State Governments, we have monitored; we have advised the State Governments and the State Government have shown concern about it. This matter is being reviewed every year at the conference of DGs and Chief Secretaries.

SHRI KULDIP NAYYAR : Sir, the recommendation of the National Police Commission was to set up a committee where the opposition leader was to be appointed. Unless the Government has changed it afterwards, that is another thing. But the recommendation is that the Committee will have the opposition leader of a State, not from the Centre.

SHRI I.D. SWAMI : Sir, I can verify. If what you say is correct, we will go by that.

SHRI PRASANTA CHATTERJEE : Sir, I have a different question. Sir, in the police stations, particulary, during the night time, posting of female police personnel is of utmost importance to practically prevent harassment of the women detenues. May, I know from the Minister whether the Union Government is taking up this issue with the State Governments? If so, what is the result? What are the recommendations of the Union Government?

SHRI I.D. SWAMI : Would you kindly repeat your question ? I have not followed it.

SHRI PRASANTA CHATTERJEE : Practically, in all the police stations, during the nighttime, posting of female police personnel is of utmost importance. Women are harassed even during the day time in the Capital city of Delhi. To prevent harassment to women detenues during night what is the Government doing ? This is the most important issue. I would like to know whether the Central Government has taken up this issue with the State Governments.

SHRI I.D. SWAMI : Sir, we have taken up this issue very seriously. We have already circulated certain recommendations to the State Governments. One of the recommendations is, at places where they cannot have purely women manned police stations, at least, two women personnel should be posted at each police station. We have made this recommendation and we have circulated it to the State Governments. Some of the State Government have already implemented it.

श्री सभापति: मैं आज उन मेंबर्स को चांस दे रहा हूं जो कभी सवाल नहीं पूछते।

श्री प्रेम गुप्ता : महोदय, यह बहुत जरूरी सवाल है।

श्री सभापति : मैं बाद में आपकी बात करा दूंगा। प्रश्न संख्या 469।

Indo-French joint venture on rural development

*469. DR. M.N. DAS :††

DR. T. SUBBARAMI REDDY :

Will the Minister of RURAL DEVELOPMENT be pleased to state :

(a) whether India and France have signed an agreement in regard to joint venture on rural development ;

††The question was actually asked on the floor of the House by Dr. M.N. Das.